

Attorney Docket No. 02839/46201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Christian Peter PETZELT et al.
SERIAL NO. : 10/576,628
FILED : April 4, 2007
FOR : USE OF XENON FOR THE PREVENTION OF
PROGRAMMED CELL DEATH
EXAMINER: Ernst V. ARNOLD

GROUP ART UNIT : 1616

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I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on

Date: November 2, 2009

Signature: /Daniel G. Harris/
Daniel G. Harris

EXAMINER INTERVIEW SUMMARY

SIR:

The Applicants thank the Examiner for the personal interview of October 2, 2009 in which the Examiner, Will Jones, Zeba Ali and the undersigned participated as well as for the telephonic interview of October 7, 2009 in which the Examiner and the undersigned participated.

In the interview of October 2, 2009, Bedi et al., 2003, Critical Care Medicine 31:2470-2477 (Bedi) and Hasselgren et al., 1986, Intensive Care Medicine 12:13-16 (Hasselgren) were

discussed, including a discussion of the disclosures of Hasselgren with respect to neurotransmitter levels in sepsis and during treatment for sepsis. Agreement was not reached.

In the interview of October 7, 2009, the Examiner contacted the undersigned to inform him that the a search requested by the Examiner had determined that, according to the Examiner, “Bedi was entered into PubMed on October 8, 2003.” During the interview, it was not agreed that the entire contents of Bedi are prior art.

Respectfully Submitted,

Date: November 2, 2009

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